

**To:** Allison Castellan [Allison.Castellan@noaa.gov]  
**Cc:** CN=Don Waye/OU=DC/O=USEPA/C=US@EPA;CN=Jayne Carlin/OU=R10/O=USEPA/C=US@EPA;CN=Robert Goo/OU=DC/O=USEPA/C=US@EPA[]; N=Jayne Carlin/OU=R10/O=USEPA/C=US@EPA;CN=Robert Goo/OU=DC/O=USEPA/C=US@EPA[]; N=Robert Goo/OU=DC/O=USEPA/C=US@EPA[]  
**From:** CN=David Powers/OU=R10/O=USEPA/C=US  
**Sent:** Wed 4/27/2011 7:14:12 PM  
**Subject:** Re: OR OSDS

Sounds good Allison. If we draft a support letter I'll help with getting Bussell's signature. Dave

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David Powers  
 Regional Manager for Forests and Rangelands  
 USEPA Region 10, OOO  
 805 SW Broadway, Suite 500  
 Portland, OR 97205  
 503-326-5874  
 powers.david@epa.gov

From: Allison Castellan <Allison.Castellan@noaa.gov>  
 To: David Powers/R10/USEPA/US@EPA  
 Cc: Don Waye/DC/USEPA/US@EPA, Jayne Carlin/R10/USEPA/US@EPA, Robert Goo/DC/USEPA/US@EPA  
 Date: 04/27/2011 11:52 AM  
 Subject: Re: OR OSDS

The type of OSDS assistance I was envisioning was a letter of support for the approaches (if appropriate) and emphasizing the importance for 6217 and maintaining full federal funding of the 319 and CZM programs. We did this in WA a few years back (although without successful passage).

On 4/27/2011 2:37 PM, Powers.David@epamail.epa.gov wrote:

> Thanks Allison - I concur with Don and support your approach. If SB  
 > 707 is unsuccessful and the policy pkg./rule making route is taken for  
 > OSDS we can revisit timelines. The OSDS timelines are based on the State  
 > proposal not the settlement agreement so unless the rulemaking pushes  
 > our overall CNPCP approval timeline it may not be an issue.  
 >  
 > You and Don have been the leads on the OSDS and new developments pieces  
 > of the puzzle. With respect to offering federal agency assistance re:  
 > the OSDS efforts, what type of assistance are you envisioning? Region  
 > 10 is providing assistance on the forestry component of the CNPCP  
 > related efforts but hasn't been as engaged on OSDS. Dave  
 >  
 > p.s. The R10 FOIA - including the EPA HQ FOIA - are on hold until Ankur  
 > negotiates the scope and timing pieces with the requestor. We should  
 > have a response from the requestor sometime this week. We'll let you  
 > know the details as soon as we have them  
 >

>

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> David Powers  
 > Regional Manager for Forests and Rangelands  
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 > From: Don Waye/DC/USEPA/US  
 > To: Allison Castellan<Allison.Castellan@noaa.gov>  
 > Cc: David Powers/R10/USEPA/US@EPA, Jayne  
 > Carlin/R10/USEPA/US@EPA, Robert Goo/DC/USEPA/US@EPA  
 > Date: 04/27/2011 10:54 AM  
 > Subject: Re: OR OSDS  
 >  
 >  
 > Allison,  
 >  
 > Perfect. I agree with all these comments. While the policy package  
 > includes the correct watersheds by name, fixing the reference to the  
 > coastal zone (and referring to it as the coastal nonpoint management  
 > area) will remove this confusion. I am copying Robert Goo on this  
 > response.  
 >  
 > Don Waye  
 > U.S. Environmental Protection Agency  
 > Nonpoint Source Control Branch (OWOW/AWPD)  
 >  
 > USPS Mailing Address: Office (FedEx/UPS delivery):  
 > Mail Code 4503T Room 7417H  
 > 1200 Pennsylvania Ave, NW 1301 Constitution Ave, NW  
 > Washington, DC 20460 Washington, DC 20004  
 >  
 > Phone: (202) 566-1170 Fax: (202) 566-1331  
 > Email: waye.don@epa.gov Website: epa.gov/nps  
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 >  
 > From: Allison Castellan<Allison.Castellan@noaa.gov>  
 > To: David Powers/R10/USEPA/US@EPA, Don Waye/DC/USEPA/US@EPA  
 > Cc: Jayne Carlin/R10/USEPA/US@EPA  
 > Date: 04/27/2011 01:34 PM  
 > Subject: OR OSDS  
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 >  
 > Hi Dave/Don--  
 >  
 > I finally had a chance to closely review the OR OSDS materials the state  
 > provided following our call. Both the state's proposal to develop rules  
 > for pt. of sale inspection for the coastal nonpoint program boundary as  
 > well as Senate Bill 707 which would require pt. of sale inspections for  
 > the entire state would satisfy OR's OSDS condition. If the Senate Bill  
 > passes, it will enable OR to meet the condition immediately. However,

> as we know, if successful, the DEQ policy package would only grant DEQ  
 > permission to develop rules for pt. of sale inspections so it would take  
 > much longer before the rules are final. DEQ proposed Dec. 2012 in our  
 > initial timeline.

>  
 > I would like to send DEQ a follow up email, acknowledging that either  
 > approach looks promising for meeting the OSDS condition and offering any  
 > assistance we could provide to make sure one of the options is  
 > successful this legislative season. I also wanted to point out one  
 > minor issue to ensure they are talking about the coastal nonpoint  
 > program boundary correctly. While the policy package describes the  
 > boundary as including the Rouge and Umpqua watersheds (correct) they  
 > then talk about how the OSDS rules developed would apply to the coastal  
 > zone area. OR's coastal zone boundary is actually smaller (doesn't  
 > include the Rogue and Umpqua) so we need to make sure that everyone is  
 > clear that the boundary for these rules is the coastal nonpoint program  
 > boundary rather than the czm boundary.

>  
 > If you agree with these comments or would like to add anything else, let  
 > me know. I'd like to send an email to the state by the end of this week  
 > if possible to thank them for sending along the info.

>  
 > Cheers,  
 > Allison

>  
 > ----- Original Message -----

>  
 > Subject: Requested documents.

>  
 >  
 > Date: Thu, 14 Apr 2011 16:38:06 -0700  
 >  
 > From: YON Donald R<YON.Donald@deq.state.or.us>

>  
 > To: Allison Castellan<Allison.Castellan@noaa.gov>, Wayne.Don@epamail.epa.gov, powers.david@epa.gov, BAILEY Bob  
 > <Bob.Bailey@state.or.us>

>  
 > CC: MULLANE Neil<MULLANE.Neil@deq.state.or.us>, FOSTER Eugene P<FOSTER.Eugene@deq.state.or.us>, YON  
 Donald R  
 > <YON.Donald@deq.state.or.us>

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 > (Embedded image moved to file: pic01458.gif)

> Dear all, as requested attached are the following four (4) documents for  
 > the Coastal Zone Nonpoint Source Program. Once the final draft of the  
 > Guidance for TMDL Implementation Plan Development for Urban/Rural  
 > Residential Land Uses Within the Coastal Zone Management Area is ready,  
 > I will post on our ftp website. In addition, once the Rough draft  
 > Outline of Implementation Ready TMDL Internal Management Directive (IMD)  
 > and the schedule for completion of the Implementation Ready TMDLs within  
 > the Coastal Zone Management Area is completed in draft form, I will send  
 > it to you for your internal review and comment.

>  
 > 1. Policy Package #120: Improve the Onsite Septic  
 > System Program (0.875 FTE; \$135,509 OF). Note that I cut-out and  
 > had to reformat a portion of the policy option package from DEQ's  
 > Budget. Go to

> <http://www.deq.state.or.us/msd/budget/1113GRB/GBB2011-13.pdf> for  
> the full policy narrative. Below is a quick summary of the policy  
> option:

> This package implements a number of the Onsite Septic System  
> Advisory Committee's  
> recommendations including time of transfer inspections for septic  
> systems in the coastal zone; fee  
> for pumpers upon septage disposal in the coastal zone; inspections  
> for alternative septic systems;  
> higher fees for applications with prior violations; new fee  
> category for ATT systems; annual fee for  
> ATT products; change site evaluation requirements; new nominal fee  
> for service contracts; and  
> new fee category for land use planning requests. The new work,  
> among other items, will enhance  
> compliance activities in onsite septic system program as well as  
> ensure that septic systems are  
> evaluated at the time of property transfer within the Coastal  
> Zone. This package requests .875 FTE to  
> be phased in 2011-13 (3.5 FTE in 2013-15) to implement the new  
> rules that will be adopted by  
> the Environmental Quality Commission. The Governor's Balanced  
> Budget recommends the positions  
> be authorized as limited duration; therefore, this package will  
> not have a staffing impact on 2013-15.

> 2. Onsite Policy Option Package Factsheet  
> (Updated)

> 3. Onsite Sewage Disposal System Funds (SB 83)  
> Factsheet. Below is a quick summary of the proposed legislation:  
> SB 83 Subsurface sewage disposal system improvement: Establishes  
> the Subsurface Sewage  
> Disposal System Improvement Fund and authorizes the Environmental  
> Quality Commission to  
> adopt rules for DEQ to use the funds to make grants or loans  
> available to property owners for  
> the repair, replacement or decommissioning of their septic  
> systems.

> 4. Time of Transfer Evaluations Statewide for  
> Septic Systems (SB 707)

> Any questions, please call. Don

> Don Yon

> Nonpoint Source Pollution Coordinator

> Oregon DEQ, Water Quality Division

> 811 SW Sixth Avenue

> Portland, OR 97204

> yon.donald.r@deq.state.or.us

> 503-229-6850

> 503-229-6037 (fax)

> [attachment "WATER QUALITY POLICY OPTION PACKAGE 120 NARRATIVE.docx"]

> deleted by David Powers/R10/USEPA/US] [attachment

> "10WR009PolicyPackage120.pdf" deleted by David Powers/R10/USEPA/US]

> [attachment "sb0083.pdf" deleted by David Powers/R10/USEPA/US]  
> [attachment "sb0707.intro.pdf" deleted by David Powers/R10/USEPA/US]  
> [attachment "Allison\_Castellan.vcf" deleted by David  
> Powers/R10/USEPA/US]  
[attachment "Allison\_Castellan.vcf" deleted by David Powers/R10/USEPA/US]